

Statement of Community Involvement

Update 2017



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1. Background

Introduction

Our Statement of Community Involvement explains how Gateshead Council will involve the community in the preparation of the Local Plan and planning decisions that guide development in our borough.

Under section 18 of the Planning and Compulsory Purchase Act 2004, we are required to produce a Statement of Community Involvement (SCI), which outlines the Council's strategy for involving residents, community groups, stakeholders and other organisations in the preparation and review of planning policy documents, and in the consideration of planning applications. This SCI has been produced in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations).

Purpose of the SCI

We will consult the community as set out in this SCI when preparing and reviewing Local Plan documents and when assessing planning applications. This will ensure that the Council meets the statutory requirements for undertaking consultation as set out in regulations¹, ensuring that plans and decisions are taken with the involvement of the community.

The SCI does not specify the means or extent of consultation that should be used in every case. We will endeavour to use appropriate channels that are available to us to enable community involvement in planning. The table in section 4 of this report sets out the range of different methods of consultation which may be used. The Council has to demonstrate that this SCI has been taken into account as part of the preparation process for Local Plan documents². There is a legal duty to determine planning applications in accordance with the Local Plan, which the SCI supports, unless material considerations indicate otherwise. There is also a duty to comply with the Development Management Procedure Order when consulting on planning applications³.

Why Involve the Community in Planning?

Early engagement with a wide section of the community will be undertaken to ensure that planning policies reflect and incorporate an agreed set of priorities and collective vision. Different people have different needs and they may disagree about priorities for development in their area. It is only through early and effective engagement between the Council, local communities and stakeholders that the most sustainable planning outcomes may be achieved. The complex nature of planning will sometimes require the use of technical language. We will minimise the use of technical language where possible.

Effective community involvement requires processes for;

- Informing communities about policies and proposals in good time;
- Enabling communities to put forward their own ideas and participate in developing proposals; rather than simply commenting on fixed proposals;

¹ Town and Country Planning (Local Planning) (England) Regulations 2012

² S. 19 (3) Planning and Compulsory Purchase Act 2004

³ Town and Country Planning (Development Management Procedure)(England) Order 2015

- Consultation on formal proposals; and
- Providing feedback

Consultation and engagement should improve relationships between the Council and the community allowing community concerns to be identified, understood and addressed. Local expertise, knowledge and opinion are vital pieces of information which can be used to improve the way we prepare local plan documents.

The Role of Planning Officers

Planning Officers are generally available during working hours by prior appointment to discuss issues and queries relating to the Local Plan, planning applications and other planning issues.

The **Spatial Planning and Environment Team** prepares the Gateshead Local Plan, which is used to inform decisions made on planning applications. This includes collating the evidence base, carrying out consultation on emerging documents and the production of any guidance required to support local development documents. Spatial Planning also provides specialist support on policy embracing the natural and historic built environment.

The **Development Management Team** assess planning applications and provide pre-application planning advice in accordance with local plan documents, the National Planning Policy Framework and other material considerations.

The Role of Councillors

Gateshead Councillors as elected representatives have an important decision-making role in the preparation of the Gateshead Local Plan. They provide democratic input to the planning process and form an important link between the planning service and the community. The role that Councillors on the Planning and Development Committee have in the decision making process is set out in section 4 of this SCI.

Whilst Councillors are willing to receive and consider the views of their constituents on planning matters, it should be noted that if any person wishes to formally comment on a planning document or application they should use the online consultation portal to make their representations directly to planning officers. Other means of making representations are set out in this SCI.

Meeting our Duty to Co-operate

The Localism Act 2011 introduced the 'Duty to Cooperate'⁴. This obliges the Council to work jointly with neighbouring authorities on areas of common interest. As part of this, the Council will regularly consult with neighbouring local authorities and a number of additional consultees on planning issues that cross administrative boundaries,. A list of statutory and duty to cooperate consultees is provided in appendix 1.

How we will keep you informed

The Council is committed to taking account of consultation responses and findings and it is important to keep you informed of how your representation is being dealt with. Appropriate

⁴ S. 102 Localism Act 2011

feedback will be provided to those who participate in our consultation exercises on Local Plan documents, Supplementary Planning Documents and as part of the development management process. Feedback to comments will be given through emails where possible. If you request a local plan document, the Council will direct you to where the document is available to view, or tell you where you can obtain a copy and whether there would be any charge payable.

All Local Plan documents will be accompanied by a statement of representations procedure, which outlines how the local community and stakeholders were involved in the process at the submission stage.⁵ Supplementary Planning Documents, which are not required to be examined by a Planning Inspector should also be accompanied with a statement of representations procedure⁶ prior to adoption. Statements of representation procedure will explain who has been involved in the consultation, summarise the main issues raised during the consultation and set out how those issues have been addressed in the document.

The Council has a duty to balance any representations received against national policy, legal requirements, the evidence and other local policies and needs. Local plan policies must be in accordance with the presumption of sustainable development in the NPPF. Consequently, there may be circumstances where the Council considers that it would not be sound to alter the plan to accommodate a particular response. The Council will publish a statement explaining how representations received during consultation have been taken into account.

Planning Aid

Planning Aid is a service provided by volunteers which provides free, independent and professional advice and support on applying for planning permission and help with queries concerning enforcement matters.

For advice on planning issues, email: advice@planningaid.rtpi.org.uk or call 020 7929 8338. There is an online suite of guidance which provides answers and advice to common planning queries – this can be accessed here: www.planningaid.rtpi.org.uk .

⁵ Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012

⁶ Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012

2. Getting involved in the Gateshead Local Plan

The Local Plan

The planning system in England and Wales is underpinned by the National Planning Policy Framework, which is the principal document governing planning decisions at the national level. Each local authority must prepare a Local Plan for their area. This will incorporate the strategic policies and priorities that the area will plan towards, as well as land allocation and development management policies, which are used to make decisions on planning applications.

In order to be adopted as statutory Local Plans, Local Plan documents are subject to an examination by an independent Inspector to determine whether they have been produced in accordance with the correct regulations, have met the requirements of the Duty to Cooperate and whether they are sound. The examination includes an inquiry held in public at which anyone with interests in the plan can submit their representations to the Inspector.

As set out in paragraph 182 of the National Planning Policy Framework, the plan must meet the following requirements to be found sound:

- Be positively prepared;
- Be justified
- Be Effective; and
- Be consistent with National Policy

Gateshead's Local Plan will be made up of a number of documents, and includes collaborative working with Newcastle City Council for some elements. Gateshead's Local Plan documents are:

Parts 1 and 2 – Core Strategy and Urban Core Plan for Gateshead and Newcastle

The Core Strategy and Urban Core Plan was jointly prepared and adopted with Newcastle City Council in March 2015. The Core Strategy sets out the overall vision, aims, objectives and strategic policies for Gateshead Borough and Newcastle City up to 2030, as well as focusing on areas undergoing major change or requiring special protection with the Urban Core boundary as defined within the document. The Urban Core boundary includes Gateshead Town Centre and Gateshead Quays.

Part 3 – Making Spaces for Growing Place Development Plan Document (MSGP)

This document will contain the site specific allocations, designations and development management policies for Gateshead. It will show which land is allocated for specific uses and what policies are set out in order to determine planning applications. We will consult on a draft version of Making Spaces for Growing Places in summer 2017.

Part 4 – MetroGreen Area Action Plan

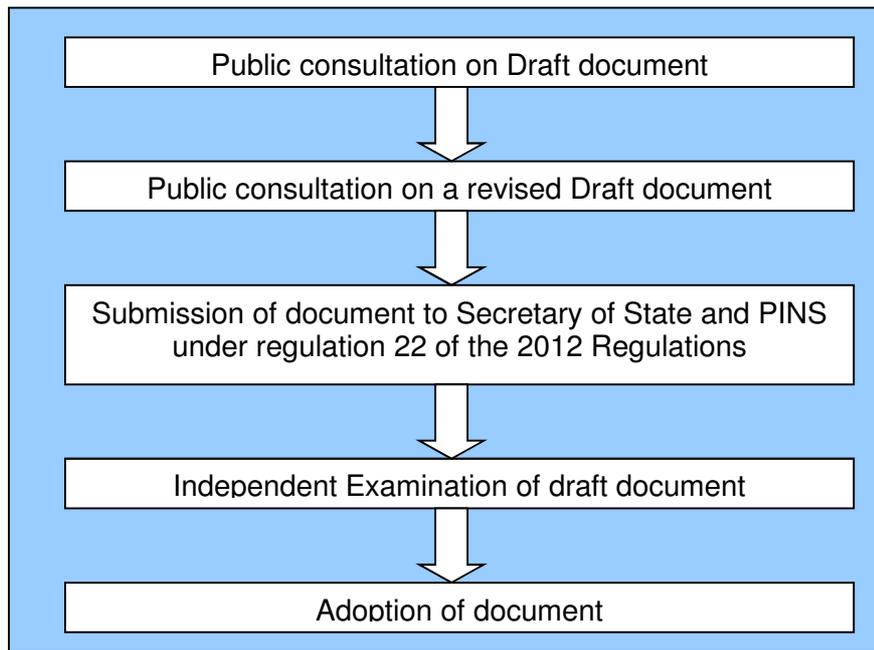
The Council is preparing an Area Action Plan (AAP) for MetroGreen, which will incorporate land on the south bank of the river Tyne around the Metrocentre. The AAP will guide future sustainable development and form a holistic strategy for the area.

In addition, Gateshead has a number of other planning documents:

Community Infrastructure Levy (CIL)

The CIL is a tariff based charging schedule that requires planning contributions from developers. Funding will be pooled together with other contributions and used to fund the provision and maintenance of necessary local and strategic infrastructure projects. As part of this process the Council has produced an Infrastructure Delivery Plan. The Gateshead Community Infrastructure Levy was adopted by Gateshead Council on the 10th of November 2016. The Gateshead CIL Charging Schedule sets out what developments are liable to pay CIL. The Council commenced charging CIL from 1st January 2017.

Figure 1 – Consultation Stages for the Local Plan Document Production Process

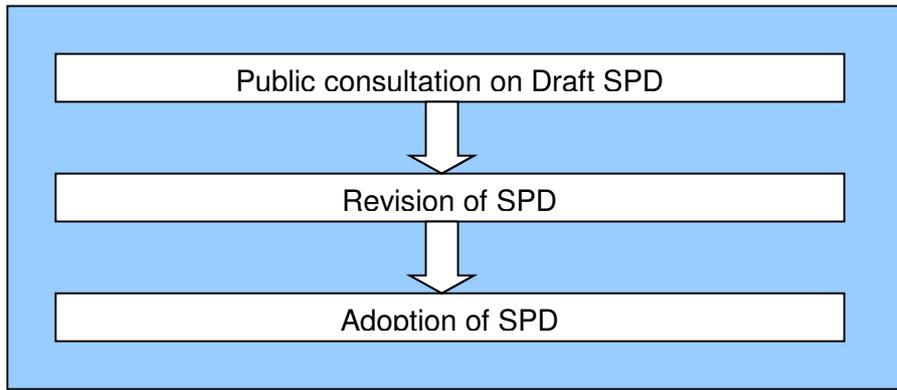


In the preparation of our Local Plan, and in addition to this SCI, we will publish relevant documents on our website. These include;

Supplementary Planning Documents (SPDs)

SPDs are produced to provide further guidance and detail to support the Local Plan relating to specific topic areas. They constitute a material consideration in planning applications, but are not statutory planning documents and are not subject to an independent examination. They cannot be used to rewrite adopted policies or to allocate land for specific uses. SPDs may be subject to a sustainability appraisal where appropriate.

Figure 2 – Supplementary Planning Document Production Process



Local Development Scheme (LDS)

This document sets out the timetable and methods of production we will use to produce local development documents. The LDS is available to view on our website: <http://www.gateshead.gov.uk/Building%20and%20Development/PlanningpolicyandLDF/LocalPlan/LocalDevelopmentScheme.aspx>

Annual Monitoring Report (AMR)

This document is produced every year and monitors the success of adopted local plan policies and planning documents. The AMR also contains evidence which can be referred to in the decision making process, where appropriate. Annual Monitoring Reports can be accessed via the Council's website.

Neighbourhood Plans

Neighbourhood Plans and Neighbourhood Development Orders are produced by local communities themselves. Any Neighbourhood Plan must be in conformity with the Gateshead Local Plan and national planning policies and guidance, but can set policies for the development of land within the neighbourhood area, once they have passed through an independent examination and a referendum of the local community.

Neighbourhood Plans must look to enable development and should not be used to attempt to restrict the building of new homes or businesses. The Council as Local Planning Authority is not required to produce neighbourhood plans but can provide planning advice and appropriate technical assistance to neighbourhood groups wishing to produce one. The consultation procedures that we will follow for Neighbourhood Plans are set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.

3. Methods of Community Involvement

Who We Will Consult

Anyone is able to respond to consultations on the Local Plan, including large organisations, local businesses and interested individuals. The 2012 Regulations set out the minimum consultation standards which must be met⁷ and determine that at different stages in the production of Local Plan documents, the Council must write to bodies and organisations which are specifically named under the regulations.

We will aim to involve the general public, stakeholders and other consultees in planning issues and processes in ways that are accessible. A database containing contact details of groups and individuals interested in the development of our plans is used to keep those registered informed of progress and future consultations. Interested parties wishing to be added to the consultation database should email ldf@gateshead.gov.uk.

Consultation Methods

There are a range of methods that can be used when consulting on planning policy documents. To engage effectively with residents, groups and organisations on emerging planning documents, we will use a selection of the following methods to involve residents and communities in the planning process:

Consultation Method	Description
Publishing documents	We will publish the Local Plan and other relevant planning documents on the Council's website: http://www.gateshead.gov.uk/Home.aspx . A hard copy of Local Plan documents will be available at the Communities and Environment Reception at Gateshead Civic Centre, and at Gateshead Central Library. Documents can be provided in a different format on request.
Online Consultation portal	The online consultation portal can be used to make representations electronically. These will be sent directly to planning officers. The consultation portal will be the preferred means for individuals and communities to comment on Local Plan documents.
Emails and Letters	All residents, groups and organisations that are registered on our consultation database or the Council's consultation portal will be informed of a consultation relating to planning policy documents by email or letter. Residents, groups and organisations that wish to be involved in planning can request to be added to our consultation database; contact us at ldf@gateshead.gov.uk . For environmental and cost reasons, we will generally contact you by email unless you request a letter. Emails or letters will be sent to statutory bodies that we are required by law to consult and engage with as part of the Duty to Cooperate. A full list of consultees covered by the Duty is

⁷ Sections 12 – 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

	available at Appendix 1.
Gateshead Now newsletter	We will publish an update in our email newsletter; Gateshead Now, explaining when planning consultations will take place and how you can respond to them. To receive Gateshead Now emails, click here to subscribe.
Social media	The Council will make use of its social media, including Twitter, Facebook and other channels to inform the community when consultation events are taking place and how representations can be made on local plan documents. Virtual drop in events may also take place on social media.
Drop-in Events	Drop-in events may be held at selected venues across the Borough as appropriate, to allow residents to view relevant material and talk to planning officers. Officers will be available to answer questions and discuss relevant issues arising from the plans.
Council News	The Council will publish updates in our magazine, Council News, informing the community of key consultation dates and how to get involved. Council News is delivered to every household in the borough, ensuring that all residents will be informed of upcoming consultations.

4. Community Involvement and Development Management

What is Development Management?

The Development Management (DM) team is responsible for making recommendations and delegated decisions on planning applications. Such decisions are currently made in line with an up to date development plan. Gateshead's Local Plan currently comprises policies within the Core Strategy and Urban Core Plan, and a number of saved UDP policies, the AMR includes indicators to monitor policies from the CSUCP and UDP. National planning policy and guidance allows a certain degree of flexibility in the decision making process, with planning applications being required to conform to the provisions of the development plan, unless material considerations indicate otherwise.

The Planning Development Management Service is committed to both informing and engaging with the wider community and individuals in relation to planning proposals. An important part of the process is to provide information and advice to applicants and to seek and take into account the views of the general public and statutory consultees on all planning applications. The statutory requirements for consultation on planning applications are set out in legislation. However, there needs to be a balance between making decisions in a timely and cost-effective way and providing the community with a reasonable opportunity to comment. The breadth of consultees will vary with the nature of the proposal and location so not all bodies are consulted on every application.

This section of the SCI describes how the Council will involve individuals, the wider community, stakeholders and interested groups/organisations in the DM process.

Pre- Application Advice and Consultation

The Council places a great emphasis on the benefits of seeking pre-application advice for all types of development before planning applications are submitted. Pre-application discussions can confirm whether the principle of development would be acceptable and allows clear advice to be given on what information is required in order for a planning decision to be made.

Whilst there is a charge for the pre-application advice service, these charges are made in accordance with the provisions of the Local Government Act 2003. The fee required depends on the nature of the enquiry and the scale of development proposed. Developers are encouraged to consult with neighbours and statutory bodies before submitting an application whether pre application advice is sought or not. Pre application advice will include advice about how to undertake the consultation process in the local context of the proposal. A statement of community involvement is required to be submitted for some major development applications.

For major and strategic applications part of the pre application process allows developers to present their schemes to members of the Council including those on Planning and Development Committee.

Planning Applications

There are a variety of ways in which planning applications are publicised and information relating to applications is made available to view and comment upon.

For most planning applications, details of the application will be published on the Council's website and applications must be publicised by either a site display in at least one place on or near the land to which the application relates for not less than 21 days; or by serving the notice on any adjoining owner or occupier. This is explained further in the Council's Notifying the Public Leaflet.

A notice will be placed on site and in the local newspaper for applications where required by any Act or Statutory Instrument. The relevant representations of any consultation will be reported and taken into account when assessing the application in order to make a decision.

A full overview of the ways in which planning applications and their information will be published is set out in the following table:

Publication of Planning Applications	
Consultation Method	Description
Website	Interested Parties can search for new applications by address or on a map on the council's website (link) In addition interested parties can register on the Council's Public Access system and set their profile to be informed via email of planning applications in specific geographical areas (for example ward areas). Interested Parties are encouraged to sign up to this register to be informed of any new applications in areas that they are interested.
Weekly List	A weekly list of all planning applications submitted is available on the Council's website and is made available on request for public inspection at the Civic Centre. The weekly list is also distributed to other sections within the Council.
Statutory Planning Register	A record of all current applications and past decisions is also available for inspection on the Council's website and is made available on request for public inspection at the Civic Centre.
Neighbour Notification and/or Site Notices	Occupiers of premises adjoining a proposal are notified in writing that an application has been received and that it can be viewed on the Council's public access website; http://public.gateshead.gov.uk/online-applications/ or at the Civic Centre. Site notices will be used where wider consultation is considered to be necessary due to the scale of the proposal or where neighbouring properties are not known.

	It is important to note that the exact extent of notification will be determined by the Council depending on the nature of the application
Newspaper notices/Advertisements	A notice will be placed in the local newspaper for applications where required by any Act or regulation
Neighbouring authorities	Will notify neighbouring Councils if the site is near a borough boundary and is likely to affect land in the neighbouring borough.
Statutory Consultees	Will consult with any statutory Consultee required in accordance with any Act or regulation
Other Consultees	Will consult with any other Consultees where the Council has agreed in advance to do so.
Ward Councillors	Will inform ward Councillors

Representations

Representations from any interested party must be made in writing: – by sending a letter to the Council – by sending an email to the Council – online using the appropriate form.

Representations should be received by the Council within 21 days from the last notice given. They will be acknowledged by the Council in writing and will be made available for public inspection at the Civic Centre.

All representations must be considered by the Council in making a decision.

Re-consultation

The Council will work proactively with applicants to secure appropriate developments with the applicant as required by paragraph 187 of the National Planning Policy Framework. As such applications may be amended during a planning application to overcome an issue.

Where an application has been amended the local planning authority will decide whether further publicity and consultation is necessary. In deciding whether this is necessary the following considerations will be taken into account:

- Were objections or reservations raised in the original consultation stage substantial and, in the view of the local planning authority, enough to justify further publicity?
- Are the proposed changes significant?
- Did earlier views cover the issues raised by the proposed changes?
- Are the issues raised by the proposed changes likely to be of concern to parties not previously notified?

How an application is considered

The majority of applications are determined by Officers under the Authority's scheme of [delegated powers](#). All other decisions are taken by the Planning and Development Committee.

The Committee Report is made available to the public (on the Council website) at least five working days before the meeting. A specific committee report can be sent out on request. The neighbour notification letter advises that anyone wishing to speak at committee must first make that request in writing to the Council usually in their letter of representation but at the latest a week before the Planning and Development Committee meeting.

It should be noted however that only planning issues can be taken into consideration and that the final decision usually rests with the Councillors who make up the Committee. A protocol exists that sets out who is able to speak at committee, both for and against applications and the time available to them. This is available on the [Council website](#).

Notification of Decision

Once a decision has been reached, the planning permission or refusal certificate is sent to the applicant or agent advising of the outcome. The Council will inform those who have submitted representations. If the decision was made by the Planning and Development Committee, minutes will be available on the Council's website and can be viewed at the Civic Centre on request.

Planning Appeals

Applicants or their agents on their behalf have the right to appeal against the decision made whether a refusal or against any conditions imposed. There are no provisions for a third party including objectors to appeal.

The appeal process is administered by the Planning Inspectorate (PINS) on behalf of the Secretary of State. The applicant should contact PINS if they wish to appeal. When an appeal is received, the Council will consult neighbouring properties who were consulted on the original application and any other person who made a written representation will be notified.

Permission in Principle: Brownfield land register

Consultation on the brownfield register and Permission in Principles will be carried out in accordance with The Town and Country Planning (Brownfield Land Register) Regulations 2017, and National Planning Policy Guidance which states that; *'The consultation that must be undertaken before sites entered on brownfield land registers can be granted permission in principle is set out in the [Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#). Local planning authorities must consult bodies identified in [Schedule 4 to the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) if in their opinion the land within the site falls within the prescribed category, and take in to account any responses received. There are also requirements for consulting county planning authorities and the Mayor of London. Local planning authorities must also consult any body that they would have been required to [consult in relation to an application for planning permission](#), for example under relevant consultation or safeguarding directions. Where consultation is required, the local planning authority should provide the statutory body with any relevant information it holds about the site.'*

Paragraph: 030 Reference ID: 58-030-20170728

Before granting technical details consent, consultation and notification will be carried out with bodies in accordance with [Schedule 4 to the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) where they have notified

the local planning authority, before it granted permission in principle to the site, that they wish to be consulted on the technical details consent application. Consultation and notification will also be carried out with any body (not on Schedule 4) that would have been required to be [consulted in relation to an application for planning permission](#).

Additional consultation will be carried out where appropriate and practicable.

Monitoring and reviewing the SCI

The Council will review the effectiveness of consultation methods when appropriate, to ensure that the community has been adequately involved in the preparation of Local Plans and other planning documents. This process will ensure that the requirements of this SCI are being met, and any issues are dealt with.

Appendix 1: List of Statutory and Duty to Cooperate Consultees

- Environment Agency
- Historic England
- Natural England
- Highways England
- Civil Aviation Authority
- Homes and Communities Agency
- Gateshead Health NHS Foundation Trust
- Gateshead Lead Local Flood Authority
- Office of Rail Regulation
- North East Combined Authority
- Tyne and Wear Integrated Transport Authority
- North East Local Enterprise Partnership
- Neighbouring Local Authorities, inclusive of;
 - Newcastle City Council
 - Durham County Council,
 - South Tyneside Council, and
 - Sunderland Council
 - Northumberland County Council
- Northern Electric Distribution Ltd
- Northern Gas Networks Ltd
- Northumbria Police
- Northumbrian Water
- Network Rail Infrastructure Ltd.
- The Coal Authority
- Marine Management Organisation
- Local Nature Partnership
- General Consultation Bodies:
 - Voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
 - Bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
 - Bodies which represent the interests of different religious groups in the local planning authority's area,
 - Bodies which represent the interests of disabled persons in the local planning authority's area,
 - Bodies which represent the interests of persons carrying on business in the local planning authority's area

Appendix 2: Tests of Soundness

The tests of soundness are set out in the National Planning Policy Framework (NPPF) (paragraph 182): “The Local Plan will be examined by an independent Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is ‘sound’ “, namely that it is:

1. Positively Prepared: based on a strategy which seeks to meet objectively assessed development and infrastructure requirements
2. Justified: an appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence
3. Effective: deliverable over its period based on effective joint working on cross-boundary strategic priorities
4. Consistent with national policy: enabling the delivery of sustainable development

For more information about the requirements that local plan documents must meet, see the [National Planning Policy Framework](#).